

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TIMOTHY C. HARRY and KAREN C.
HARRY,

Plaintiffs,

v.

CIVIL ACTION NO. 16-10895

AMERICAN BROKERS CONDUIT, APEX
MORTGAGE SERVICES, FIDELITY
NATIONAL TITLE GROUP, AMERICAN
HOME MORTGAGE SERVICING, INC.,
DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE FOR AMERICAN
HOME MORTGAGE ASSETS TRUST 2007-2
MORTGAGE-BACKED PASS-
CERTIFICATES, SERIES 2007-2,
HOMEWARD RESIDENTIAL, MORTGAGE
ELECTRONIC RECORDING SYSTEM, INC.,
OCWEN LOAN SERVICING and KORDE &
ASSOCIATES,

Defendants.

**DEFENDANTS AMERICAN HOME MORTGAGE SERVICING, INC., DEUTSCHE
BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR AMERICAN HOME
MORTGAGE ASSETS TRUST 2007-2 MORTGAGE-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2007-2, HOMEWARD RESIDENTIAL, INC., MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC. AND OCWEN LOAN SERVICING,
LLC'S MOTION FOR LEAVE TO FILE REPLY MEMORANDUM IN FURTHER
SUPPORT OF MOTION TO DISMISS**

Defendants American Home Mortgage Servicing, Inc. ("AHMSI"), Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Assets Trust 2007-2, Mortgage-Backed Pass-Through Certificates Series 2007-2 ("Deutsche Bank as Trustee"), Homeward Residential, Inc. ("Homeward"), Mortgage Electronic Registration Systems, Inc. ("MERS") and Ocwen Loan Servicing, LLC ("Ocwen") (collectively, the "Defendants"), hereby request leave to file a brief reply memorandum to Plaintiffs Timothy C. Harry and Karen C.

Harry's ("Plaintiffs") Opposition to the Defendants' Motion to Dismiss. Defendants seek leave in order to respond to the Plaintiffs' arguments that, *inter alia*, entry of default against American Brokers and Apex applies to all defendants; Plaintiffs' complied with the pre-suit requirements necessary to establish a M.G.L. c. 93A claim; and the assignment of Mortgage failed to comply with certain trust documents. Defendants also seek leave to respond to Plaintiffs' new theory of fraud not previously alleged in their Amended Verified Complaint.

WHEREFORE, Defendants American Home Mortgage Servicing, Inc., Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Assets Trust 2007-2, Mortgage-Backed Pass-Through Certificates Series 2007-2, Homeward Residential, Inc., Mortgage Electronic Registration Systems, Inc. and Ocwen Loan Servicing, LLC, respectfully request that this Honorable Court grant their request for leave to file a brief reply memorandum in further support of their Motion to Dismiss Plaintiffs' Amended Verified Complaint with prejudice.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

Attorneys for Defendants,

AMERICAN HOME MORTGAGE
SERVICING, INC., DEUTSCHE BANK
NATIONAL TRUST COMPANY AS TRUSTEE
FOR AMERICAN HOME MORTGAGE ASSETS
TRUST 2007-2 MORTGAGE-BACKED
PASS-CERTIFICATES, SERIES 2007-2,
HOMEWARD RESIDENTIAL, INC., MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS INC.
and OCWEN LOAN SERVICING, LLC,

/s/ Vanessa V. Pisano

Samuel C. Bodurtha, BBO #665755

Vanessa V. Pisano, BBO #679649

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CERTIFICATE OF SERVICE

I, Vanessa V. Pisano, hereby certify that the documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 3, 2016.

/s/ Vanessa V. Pisano

Vanessa V. Pisano